

AARON D. FORD
Attorney General
NATHAN C. HOLLAND, Bar No. 15247
Deputy Attorney General
State of Nevada
100 N. Carson Street
Carson City, NV 89701-4717
Tel: (775) 684-1254
E-mail: NHolland@ag.nv.gov

*Attorneys for Defendant,
Romeo Aranas, Isidro Baca, Joshua Collins,
Karen Gedney, Joel Hightower, Silvia Irvin,
Robert LeGrand, David Mar, E. K. McDaniel,
and Lisa Walsh*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RONALD COLLINS,

Plaintiff,

vs.

JOSHUA COLLINS, et al.,

Defendants.

Case No. 3:16-cv-00111-MMD-WGC

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
TO FILE A RESPONSE TO PLAINTIFF'S
MOTION TO ENFORCE SETTLEMENT
AGREEMENT
(SECOND REQUEST)**

Defendants, Romeo Aranas, Isidro Baca, Joshua Collins, Karen Gedney, Joel Hightower, Silvia Irvin, Robert LeGrand, David Mar, E. K. McDaniel, and Lisa Walsh, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Nathan C. Holland, Deputy Attorney General, hereby file this Motion for Extension of Time to file a responsive pleading to Plaintiff's Motion to Enforce Settlement Agreement, EFC 294, from **May 20, 2021 to June 3, 2021**. This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A) and 6(b)(1)(B), the following Memorandum of Points and Authorities, and all paper and pleadings on file in this action.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Defendants' respectfully request a short extension of time to respond to Plaintiff's motion to enforce the settlement agreement. A review of the docket demonstrates Plaintiff has filed numerous motions regarding the agreed upon settlement. Counsel has been diligently working to respond to

1 Plaintiff's concerns and respond to these motions. However, Defendants require a short extension as
2 counsel was recently involved in an accident resulting in serious injuries. Thus, counsel requests and
3 extension of two weeks to respond. This will allow for either new counsel to handle the motion or
4 should be sufficient time for current counsel to recover and respond.

5 **II. BACKGROUND**

6 On May 7, 2021 the parties held a meet and confer to try and resolve the Plaintiff's Motion without
7 the Court's involvement. At various points, the parties discussed Plaintiff withdrawing the motion to
8 enforce the settlement agreement. At this time, the parties have been unable to come to an agreement. As
9 counsel has been diligently working to resolve this matter, he has been unable to complete Defendants'
10 response to the motion to enforce the settlement agreement.

11 **III. LEGAL STANDARD**

12 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

13 When an act may or must be done within a specified time, the court may,
14 for good cause, extend the time: (A) with or without motion or notice if
15 the court acts, or if a request is made, before the original time or its
16 extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

17 **IV. DISCUSSION**

18 Defendants contend good cause supports an extension. Counsel has been diligently working to
19 resolve this dispute without involving this Court. Due to these efforts, counsel has been unable to
20 complete the response. Counsel had intended to complete the response this week but was unexpectedly
21 involved in a serious accident that has prevented counsel from returning to his office. See Declaration
22 of Counsel attached as Exhibit A.

23 Despite counsel's injuries, counsel was able to participate in a telephonic conference with
24 Plaintiff on May 19, 2021. Counsel requested a short extension due to the recent accident. However,
25 Plaintiff refused and believed counsel was engaging in delay tactics. Accordingly, Defendants are
26 forced to move this Court for a two-week extension of time.

27 ///

28 ///

1 At this time, it is unclear when counsel will be cleared to return on a full-time basis. However,
2 allowing a short extension will allow either counsel to complete the response or allow new counsel time
3 to familiarize themselves with the case and provide a response.

4 **V. CONCLUSION**

5 Good cause exists to extend time to file the responsive pleading. Defendant is requesting a 14-
6 day extension, from **May 20, 2021, to June 3, 2021.**, to allow for Defense counsel to recover from his
7 injuries, and submit a responsive pleading.

8 **VI. DECLARATION**

9 Declaration of Nathan C. Holland

10 DATED this 20th day of May, 2021.

11 AARON D. FORD
12 Attorney General

13 By: /s/Nathan C. Holland
14 NATHAN C. HOLLAND, Bar No. 15247
15 Deputy Attorney General
16 State of Nevada

Attorneys for Defendants

17 IT IS SO ORDERED.

18 DATED: May 21, 2021.

19 William G. Cobb
20 UNITED STATES MAGISTRATE JUDGE
21
22
23
24
25
26
27
28